

**RESOLUTION NO. 19-8704**

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA  
AUTHORIZING THE USE OF CITY WATER FORCES PURSUANT  
TO CHARTER SECTION 1310**

**BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:**

**WHEREAS**, the City of Santa Clara's Charter section 1310 requires all contracts involving an expenditure of over \$1,000 for public works to be let to the lowest responsible bidder;

**WHEREAS**, Charter section 1310 permits the City to use its own employees if the City Council determines that the public works may be done better or more economically by the City's own employees, and, upon such determination, the City may proceed to have the public works done without further observance of Charter section 1310;

**WHEREAS**, the City's Water Utility desires to perform certain public works, including the installation of electric facilities, as set forth in the Report to Council dated May 21, 2019, by its own employees; and

**WHEREAS**, the City's Water Utility has in-house knowledge and trained personnel operating and maintaining the electrical system that can be leveraged to complete the limited size and scope of this work more economically than by outside contractors;

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**NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:**

1. The City Council of the City of Santa Clara does hereby declare and determine that the public works set forth in the May 21, 2019 Report to Council, attached hereto and incorporated by this reference, may be performed better or more economically by the City with its own employees.
2. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 21<sup>ST</sup> DAY OF MAY 2019, BY THE FOLLOWING VOTE:


AYES:	COUNCILORS:	Chahal, Davis, Hardy, Mahan, O'Neill, and Watanabe, and Mayor Gillmor
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NOES:	COUNCILORS:	None
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ABSENT:	COUNCILORS:	None
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ABSTAINED:	COUNCILORS:	None
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ATTEST:

  
NORA PIMENTEL, MMC  
ASSISTANT CITY CLERK  
CITY OF SANTA CLARA

Attachments incorporated by reference: May 21, 2019 Report to Council.



# City of Santa Clara

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## Agenda Report

19-500

Agenda Date: 5/21/2019

### REPORT TO COUNCIL

#### SUBJECT

Action on a Resolution for the Use of City Water Forces at 815 Comstock Street

#### BACKGROUND

Charter Section 1310 titled Contracts on Public Works states, in part, "that every contract involving an expenditure of more than one thousand dollars (\$1,000.00) for the construction or improvement (excluding maintenance and repair) of public buildings, works, streets, drains, sewers, utilities, parks and playgrounds shall be let to the lowest responsible bidder." The section further states that "the City Council may declare and determine that, in its opinion, the work in question may be performed better or more economically by the City with its own employees, and after the adoption of a resolution to this effect by at least four affirmative votes, it may proceed to have said work done in the manner stated, without further observance of the provisions of this section."

#### DISCUSSION

Staff believes that the work described below is best and most efficiently performed with City Forces to complete the limited size and scope of work outlined below. The Water Utility has in-house knowledge and trained personnel operating and maintaining water services that can be leveraged to more economically perform this work. Bidding out the work and contracting with a private entity would delay the construction project. Therefore, staff recommends that the City Council find that City Forces can best perform the installation of the following water services and approve the use of City Forces.

Location:	815 Comstock Street
Type of Service:	Provide new installation services for new public water improvements.
Description of Work:	Upgrade existing (1) - 1" water service with (1) -1" backflow prevention device
Estimated Cost:	\$ 14,440.61
Job Number:	592-1423-80300-7006-(I)30655

#### ENVIRONMENTAL REVIEW

The actions being considered are exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines sections 15302(c) (Class 2 - Replacement or Reconstruction) because they involve the replacement or reconstruction of existing utility systems and/or facilities involving negligible expansion of capacity, and 15303(d) (Class 3 - New Construction or Conversion of Small Structures), because they involve the construction of new water utility extensions.

#### FISCAL IMPACT

The funds to support the staff time for the work detailed in this report are budgeted in the Fiscal Year 2018/19 Adopted

Budget.

**COORDINATION**

This report has been coordinated with the Finance Department and City Attorney's Office.

**PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office beginning the Thursday evening before the Tuesday meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

**RECOMMENDATION**

Adopt a Resolution approving the use of City Water forces for the service upgrade at 815 Comstock Street.

Reviewed by: Gary Welling, Director, Water & Sewer Utilities Department

Approved by: Deanna J. Santana, City Manager

**ATTACHMENTS**

1. Use of City Water Forces Resolution